

2007 SENATE BILL 124

1 **AN ACT** *to renumber* 813.12 (7) (intro.), 813.12 (7) (a), 813.12 (7) (b), 813.122 (10)
2 (intro.), 813.122 (10) (a), 813.122 (10) (b), 813.123 (9) (intro.), 813.123 (9) (a),
3 813.123 (9) (b), 813.125 (6) (intro.), 813.125 (6) (a) and 813.125 (6) (b); *to amend*
4 813.12 (7) (c) and 813.123 (4) (c); and *to create* 813.122 (10) (c), 813.123 (9) (c)
5 and 813.125 (6) (c) of the statutes; **relating to:** notice for child abuse,
6 individuals at risk, and harassment injunctions and the time for service in
7 injunction cases involving individuals at risk.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

8 **SECTION 1.** 813.12 (7) (intro.) of the statutes is renumbered 813.12 (7) (am)
9 (intro.).

10 **SECTION 2.** 813.12 (7) (a) of the statutes is renumbered 813.12 (7) (am) 1.

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SECTION 3. 813.12 (7) (b) of the statutes is renumbered 813.12 (7) (am) 2.

SECTION 4. 813.12 (7) (c) of the statutes is amended to read:

813.12 (7) (c) A respondent who does not appear at a hearing at which the court orders an injunction under s. ~~813.12~~ sub. (4) but who has been served with a copy of the petition and notice of the time for hearing under s. ~~813.12 (3)~~ sub. (4) (a) 2. has constructive knowledge of the existence of the injunction and shall be arrested for violation of the injunction regardless of whether he or she has been served with a copy of the injunction.

SECTION 5. 813.122 (10) (intro.) of the statutes is renumbered 813.122 (10) (am) (intro.).

SECTION 6. 813.122 (10) (a) of the statutes is renumbered 813.122 (10) (am) 1.

SECTION 7. 813.122 (10) (b) of the statutes is renumbered 813.122 (10) (am) 2.

SECTION 8. 813.122 (10) (c) of the statutes is created to read:

813.122 (10) (c) A respondent who does not appear at a hearing at which the court orders an injunction under sub. (5) but who has been served with a copy of the petition and notice of the time for hearing under sub. (5) (a) 2. has constructive knowledge of the existence of the injunction and shall be arrested for violation of the injunction regardless of whether he or she has been served with a copy of the injunction.

SECTION 8m. 813.123 (4) (c) of the statutes is amended to read:

813.123 (4) (c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (5). A judge shall hold a hearing on issuance of an injunction within ~~7~~ 14 days after the temporary restraining order is issued, unless the time is extended upon the written consent of the parties or extended once for ~~7~~ 14 days upon a finding that the respondent has not been served

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1 with a copy of the temporary restraining order although the petitioner has exercised
2 due diligence.

3 **SECTION 9.** 813.123 (9) (intro.) of the statutes is renumbered 813.123 (9) (am)
4 (intro.).

5 **SECTION 10.** 813.123 (9) (a) of the statutes is renumbered 813.123 (9) (am) 1.

6 **SECTION 11.** 813.123 (9) (b) of the statutes is renumbered 813.123 (9) (am) 2.

7 **SECTION 12.** 813.123 (9) (c) of the statutes is created to read:

8 813.123 **(9)** (c) A respondent who does not appear at a hearing at which the
9 court orders an injunction under sub. (5) but who has been served with a copy of the
10 petition and notice of the time for hearing under sub. (5) (a) 2. has constructive
11 knowledge of the existence of the injunction and may be arrested for violation of the
12 injunction regardless of whether he or she has been served with a copy of the
13 injunction.

14 **SECTION 13.** 813.125 (6) (intro.) of the statutes is renumbered 813.125 (6) (am)
15 (intro.).

16 **SECTION 14.** 813.125 (6) (a) of the statutes is renumbered 813.125 (6) (am) 1.

17 **SECTION 15.** 813.125 (6) (b) of the statutes is renumbered 813.125 (6) (am) 2.

18 **SECTION 16.** 813.125 (6) (c) of the statutes is created to read:

19 813.125 **(6)** (c) A respondent who does not appear at a hearing at which the
20 court orders an injunction under sub. (4) but who has been served with a copy of the
21 petition and notice of the time for hearing under sub. (4) (a) 2. has constructive
22 knowledge of the existence of the injunction and shall be arrested for violation of the
23 injunction regardless of whether he or she has been served with a copy of the
24 injunction.

25 **SECTION 17. Initial applicability.**

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SECTION 17

1 (1) The treatment of sections 813.122 (10) (c), 813.123 (4) (c) and (9) (c), and
2 813.125 (6) (c) of the statutes first applies to actions commenced on the effective date
3 of this subsection.

4 (END)